



UNITED STATES PATENT AND TRADEMARK OFFICE

59

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/036,667	12/21/2001	John K. Gallant	RIC01016	3681
25537	7590	04/21/2005	EXAMINER	
MCI, INC TECHNOLOGY LAW DEPARTMENT 1133 19TH STREET NW, 10TH FLOOR WASHINGTON, DC 20036			NGUYEN, DUC MINH	
			ART UNIT	PAPER NUMBER
			2643	

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/036,667

Applicant(s)

GALLANT ET AL.

Examiner

Duc M Nguyen

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-64, 66-68 and 75-80 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-64, 66-68 and 75-80 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 5, 9-10, 18-27, 61, 75-76, 80 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico et al (5,579,379) in view of Jordan (US 2001/0050984A1) and Hayden (WO 00/52916).

Consider claims 1, 5, 18-27, 61, 75-76, 80. D'Amico teaches a method and system for placing a call between a first client and a second client, comprising receiving a call request message (fig. 1; col. 8, ln. 53 to col. 9, ln. 26); authenticating the call request message, whereby an authentic originating client is identified (ANI or calling party's address; col. 9, ln. 11-26; col. 13, ln. 38-55; col. 20, ln. 36 to col. 30, ln. 9); and searching a database to find a predetermined client billing tag corresponding to the authentic originating client, whereby the call is authorized to be completed if the client billing tag is obtained, and the call is not authorized to be completed if the client billing tag is not obtained (col. 27, ln. 57 to col. 29, ln. 45). D'Amico does not teach challenge a device that originated the call by requesting the device to authenticate itself, wherein the device generates an authentication result as a result of authenticating itself.

Jordan teaches challenge a device that originated the call by requesting the device to authenticate itself, wherein the device generates an authentication result as a result of

Art Unit: 2643

authenticating itself (page(s) 3, ¶ 0035 through page(s) 5, ¶ 0052, table 1) for the purposes of preventing clip on fraud using telephone authentication (page(s) 1, ¶ 0002).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Jordan into the teachings of D'Amico for the purposes mentioned above.

Consider claims 9-10. D'Amico further teaches call forwarding command and call transfer command (transferring, redirecting or forwarding the call according to subscriber defined treatment; col. 22, ln. 47-65).

3. Claims 2-3, 6-8, 11-14, 28-29, 31-32, 36-37, 62-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico et al (5,579,379) in view of Jordan (US 2001/0050984A1) and further in view of McConnell et al (US2003/0074313).

Consider claims 2-3, 11, 28-29, 31-32, 36-37, 62-63, 77-78. D'Amico teaches a method and system for placing a call between a first client and a second client, comprising receiving a call request message (fig. 1; col. 8, ln. 53 to col. 9, ln. 26); authenticating the call request message, whereby an authentic originating client is identified (ANI or calling party's address; col. 9, ln. 11-26; col. 13, ln. 38-55; col. 20, ln. 36 to col. 30, ln. 9); and searching a database to find a predetermined client billing tag corresponding to the authentic originating client, whereby the call is authorized to be completed if the client billing tag is obtained, and the call is not authorized to be completed if the client billing tag is not obtained (col. 27, ln. 57 to col. 29, ln. 45). D'Amico does not teach challenge a device that originated the call by requesting the device

Art Unit: 2643

to authenticate itself, wherein the device generates an authentication result as a result of authenticating itself.

Jordan teaches challenge a device that originated the call by requesting the device to authenticate itself, wherein the device generates an authentication result as a result of authenticating itself (page(s) 3, ¶ 0035 through page(s) 5, ¶ 0052, table 1) for the purposes of preventing clip on fraud using telephone authentication (page(s) 1, ¶ 0002).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Jordan into the teachings of D'Amico for the purposes mentioned above.

D'Amico in view of Jordan does not teach inserting the client billing tag into the call request message; and transmitting the call request message to the gateway.

McConnell teaches inserting the client billing tag into the call request message; and transmitting the call request message to the gateway (page 1, paragraphs 0011, 0013-0016; page 3, paragraph 0035; page 5, paragraph 0054).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of McConnell into the teachings of D'Amico in view of Jordan in order to accurately keep track of the amount due from the application provider.

Consider claims 6-8, 12-14, 34-35. D'Amico further teaches call forwarding command and call transfer command (transferring, redirecting or forwarding the call according to subscriber defined treatment; col. 22, ln. 47-65).

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico et al (5,579,379) in view of Jordan (US 2001/0050984A1) as applied to claim 1 above, and further in view of Jobst et al (6,707,915).

Consider claim 4. D'Amico in view of Jordan does not teach the step of authenticating includes performing a calculation using a hash algorithm.

Jobst teaches the step of authenticating includes performing a calculation using a hash algorithm (col. 2, ln. 34-54).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Jobst into the teachings of D'Amico in view of Jordan in order to secure the terminal against unauthorized software loading into the phone.

5. Claims 15-17, 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico et al (5,579,379) in view of Jordan (US 2001/0050984A1) as applied to claims 1, 61 above, and further in view of Hayden (WO 00/52916).

Consider claims 15-17, 64. D'Amico teaches a method and system for placing a call between a first client and a second client, comprising receiving a call request message (fig. 1; col. 8, ln. 53 to col. 9, ln. 26); authenticating the call request message, whereby an authentic originating client is identified (ANI or calling party's address; col. 9, ln. 11-26; col. 13, ln. 38-55; col. 20, ln. 36 to col. 30, ln. 9); and searching a database to find a predetermined client billing tag corresponding to the authentic originating client, whereby the call is authorized to be completed if the client billing tag is obtained, and the call is not authorized to be completed if the client billing tag is not obtained (col. 27, ln. 57 to col. 29, ln. 45). D'Amico does not teach

adding a header to the call request message, the header including a server id; and transmitting the call request message to the gateway, the gateway being configured to complete the call if the header is detected and inherently not complete the call if the header is not detected.

Hayden teaches adding a header to the call request message, the header including a server id to identify a server sending the SIP call request message; and transmitting the call request message to the gateway, the gateway being configured to complete the call if the header is detected and inherently not complete the call if the header is not detected (page(s) 6-7, lines 23-34 and 1-6, respectively) for the purposes of automatically selecting a gateway for terminating the internet telephone call.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Hayden into the teachings of D'Amico in view of Jordan for security, and fraudulent protection purposes.

6. Claims 30, 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico et al (5,579,379) in view of Jordan (US 2001/0050984A1) and McConnell et al (US2003/0074313) as applied to claims 28, 31 above, and further in view of Fletcher et al (H1897).

Consider claim 30, 33. D'Amico in view of Jordan and McConnell does not teach transmitting at least one call statistic to a network management system.

Fletcher teaches transmitting at least one call statistic to a network management system (col. 2, ln. 11-32).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Fletcher into the teachings of D'Amico in view of

Art Unit: 2643

Jordan and McConnell in order to provide operations and maintenance functions, both radio and switch related, using one system. This reduces overall system costs and increases.

7. Claims 38-42, 66-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico et al (5,579,379) in view of Hayden (WO 00/52916).

Consider claims 15-26, 38-42. D'Amico teaches a method and system for placing a call between a first client and a second client, comprising receiving a call request message (fig. 1; col. 8, ln. 53 to col. 9, ln. 26); authenticating the call request message, whereby an authentic originating client is identified (ANI or calling party's address; col. 9, ln. 11-26; col. 13, ln. 38-55; col. 20, ln. 36 to col. 30, ln. 9); and searching a database to find a predetermined client billing tag corresponding to the authentic originating client, whereby the call is authorized to be completed if the client billing tag is obtained, and the call is not authorized to be completed if the client billing tag is not obtained (col. 27, ln. 57 to col. 29, ln. 45). D'Amico does not teach adding a header to the call request message, the header including a server id; and transmitting the call request message to the gateway, the gateway being configured to complete the call if the header is detected and inherently not complete the call if the header is not detected.

Hayden teaches adding a header to the call request message, the header including a server id to identify a server sending the SIP call request message; and transmitting the call request message to the gateway, the gateway being configured to complete the call if the header is detected and inherently not complete the call if the header is not detected (page(s) 6-7, lines 23-34 and 1-6, respectively) for the purposes of automatically selecting a gateway for terminating the internet telephone call.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Hayden into the teachings of D'Amico in view of Jordan for security, and fraudulent protection purposes.

Consider claims 66-68. D'Amico teaches a method and system for placing a call between a first client and a second client, comprising receiving a call request message (fig. 1; col. 8, ln. 53 to col. 9, ln. 26); authenticating the call request message, whereby an authentic originating client is identified (ANI or calling party's address; col. 9, ln. 11-26; col. 13, ln. 38-55; col. 20, ln. 36 to col. 30, ln. 9); and searching a database to find a predetermined client billing tag corresponding to the authentic originating client, whereby the call is authorized to be completed if the client billing tag is obtained, and the call is not authorized to be completed if the client billing tag is not obtained (col. 27, ln. 57 to col. 29, ln. 45). D'Amico does not teach adding a header to the call request message, the header including a server id; and transmitting the call request message to the gateway, the gateway being configured to complete the call if the header is detected and inherently not complete the call if the header is not detected.

Hayden teaches adding a header to the call request message, the header including a server id to identify a server sending the SIP call request message; and transmitting the call request message to the gateway, the gateway being configured to complete the call if the header is detected and inherently not complete the call if the header is not detected (page(s) 6-7, lines 23-34 and 1-6, respectively) for the purposes of automatically selecting a gateway for terminating the internet telephone call.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Hayden into the teachings of D'Amico in view of Jordan for security, and fraudulent protection purposes.

8. Claims 43-44, 47-60, 79 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico et al (5,579,379) in view of Jordan (US 2001/0050984A1) and Hluchyj et al (6,282,193).

Consider claims 43, 50-60, 79. D'Amico teaches a method and system for placing a call between a first client and a second client, comprising receiving a call request message (fig. 1; col. 8, ln. 53 to col. 9, ln. 26); authenticating the call request message, whereby an authentic originating client is identified (ANI or calling party's address; col. 9, ln. 11-26; col. 13, ln. 38-55; col. 20, ln. 36 to col. 30, ln. 9); and searching a database to find a predetermined client billing tag corresponding to the authentic originating client, whereby the call is authorized to be completed if the client billing tag is obtained, and the call is not authorized to be completed if the client billing tag is not obtained (col. 27, ln. 57 to col. 29, ln. 45). Jordan teaches challenge a device that originated the call by requesting the device to authenticate itself, wherein the device generates an authentication result as a result of authenticating itself (page(s) 3, ¶ 0035 through page(s) 5, ¶ 0052, table 1) for the purposes of preventing clip on fraud using telephone authentication (page(s) 1, ¶ 0002).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Jordan into the teachings of D'Amico for the purposes mentioned above.

Art Unit: 2643

D'Amico in view of Jordan does not teach a SIP server.

Hluchyj teaches the use of packet network server that reads on the SIP server (col. 3, ln. 58 to col. 4, ln. 67; col. 6, ln. 50-65).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Hluchyj into the teachings of D'Amico in view of Jordan in order to reduce long distance or toll charge to the subscribers.

Consider claim 44. D'Amico further teaches the server transmits the call request message to the gateway if the client billing tag is obtained, and does not transmit the call request message to the gateway if the client billing tag cannot be obtained (col. 30, ln. 45 to col. 31, ln. 21).

Consider claim 47. D'Amico's col. 28, ln. 1-16 reads on the limitations of this claim.

Consider claims 48-49. D'Amico further teaches call forwarding command and call transfer command (transferring, redirecting or forwarding the call according to subscriber defined treatment; col. 22, ln. 47-65).

9. Claims 45-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Amico et al (5,579,379) in view of Jordan (US 2001/0050984A1) and Hluchyj et al (6,282,193) as applied to claim 43 above, and further in view of McConnell et al (US2003/0074313).

Consider claim 45. D'Amico in view of Jordan and Hluchyj does not teach inserting the client billing tag into the call request message; and transmitting the call request message to the gateway.

Art Unit: 2643

McConnell teaches inserting the client billing tag into the call request message; and transmitting the call request message to the gateway (page 1, paragraphs 0011, 0013-0016; page 3, paragraph 0035; page 5, paragraph 0054).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of McConnell into the teachings of D'Amico in view of Thomas and Hluchyj in order to accurately keep track of the amount due from the application provider.

Consider claim 46. D'Amico's col. 28, ln. 48-60 reads on the limitations of this claim.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc M Nguyen whose telephone number is (571)272-7503. The examiner can normally be reached on 7:00AM-3:30PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kuntz Curtis can be reached on 571-272-7499. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/036,667
Art Unit: 2643

Page 12

4/15/05


DUC NGUYEN
PRIMARY EXAMINER